

**AN ACT** *to renumber 285.72; to amend 20.370 (2) (ce) and 285.72 (title); and to create 285.72 (2) of the statutes; relating to: prohibiting the funding and use of the Sheboygan Kohler-Andrae air quality monitor in the state monitoring network plan.*

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

[ [HYPERLINK "https://docs.legis.wisconsin.gov/document/proposaltext/2017/REG/AB588,1"](https://docs.legis.wisconsin.gov/document/proposaltext/2017/REG/AB588,1) ] ~~SECTION 1. 20.370 (2) (ce) of the statutes is amended to read:~~

[ [HYPERLINK "https://docs.legis.wisconsin.gov/document/proposaltext/2017/REG/AB588,2,3"](https://docs.legis.wisconsin.gov/document/proposaltext/2017/REG/AB588,2,3) ] ~~20.370 (2) (ce) Air quality monitoring station. Biennially, the amounts in the schedule for the air quality monitoring station under s. 285.72 (1).~~

~~AB588,2~~ **SECTION 2.** 285.72 (title) of the statutes is amended to read:

~~AB588,2,5~~ **285.72 (title) Air quality monitoring station stations .**

~~AB588,3~~ **SECTION 3.** 285.72 of the statutes is renumbered 285.72 (1).

~~AB588,4~~ **SECTION 4.** 285.72 (2) of the statutes is created to read:

~~AB588,2,10~~ **285.72 (2)** (a) The department may not include the air monitoring site located at Kohler-Andrae State Park in Sheboygan County in the state's monitoring network plan required under [ [HYPERLINK](https://docs.legis.wisconsin.gov/document/cfr/40%20CFR%2058.10)

"<https://docs.legis.wisconsin.gov/document/cfr/40%20CFR%2058.10>" \o "Code of Fed. Regulations 40 CFR 58.10" ].

~~AB588,2,14~~ (b) The department shall request a waiver of the relevant provisions of the federal Clean Air Act relating to the state implementation plan, as required under

[ [HYPERLINK "https://docs.legis.wisconsin.gov/document/usc/42%20USC%207410"](https://docs.legis.wisconsin.gov/document/usc/42%20USC%207410) \o "US Code 42 USC 7410" ], that may be implicated by discontinuing the use of the air monitoring site located at Kohler-Andrae State Park in Sheboygan County.

(c) If the federal environmental protection agency does not approve the initial plan submitted by the department under par. (a), the department may submit a revised plan that includes the air monitoring site located at Kohler-Andrae State Park in Sheboygan County.

[ [HYPERLINK "https://docs.legis.wisconsin.gov/document/proposaltext/2017/REG/AB588,5"](https://docs.legis.wisconsin.gov/document/proposaltext/2017/REG/AB588,5) ]

~~SECTION 5. Nonstatutory provisions.~~

~~AB588,2,21~~ (1) Upon approval by the federal environmental protection agency of the state's initial

monitoring network plan that does not include the air monitoring site located at

~~Kohler Andrae State Park in Sheboygan County, the department of natural resources shall cease funding the operation and maintenance of the air monitoring site located at Kohler Andrae State Park in Sheboygan County and shall cease collecting data from the air monitoring site.~~

[ HYPERLINK "<https://docs.legis.wisconsin.gov/document/proposaltext/2017/REG/AB588,6>" ]

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**SECTION 6. Initial applicability.**

AB588,3,3(1) The treatment of section 285.72 (2) (a) of the statutes first applies to a monitoring network plan submitted on January 1, 2018.